

Message Text

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ACTION IO-13

INFO OCT-01 ADP-00 GAC-01 ACDA-19 CIAE-00 DODE-00 PM-09

INR-09 L-03 NSAE-00 NASA-04 NSC-10 RSC-01 SCI-06 H-02

PA-03 PRS-01 SS-14 USIA-12 AF-10 ARA-11 EA-11 EUR-25

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INFO AMEMBASSY MOSCOW

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E. O. 11652 : ADS MARCH 28, 1974

TAGS: TSPA, PFOR, UR, FR

SUBJECT: OUTER SPACE LEGAL : SUBCOMMITTEE GENERAL

DBATE MARCH 27

1. SUMMARY. US, FRANCE, SWEDEN, BULGARIA AND EGYPT PARTICIPATED IN GENERAL DEBATE AT MAR 27 AM SESSION OF OSLS WHERE PROFESSED OPTIMISM ON POSSIBILITY OF COMPLETING WORK ON BOTH TOM AND REGISTRATION CONVENTION CONTINUES. US PARTICIPATION CONFINED TO PRESENTATION OF US DRAFT REGISTRATION CONVENTION. (SEPTTEL).

2. FRANCE REITERATED THAT PURPOSE OF REGISTRATION CONVENTION IS TO PROVIDE A JURIDICAL LINK BETWEEN LAUNCHING STATE AND THE SPACE OBJECT, THEREBY CONFERRING NATIONALITY ON THE SPACE OBJECT AS A RESULT OF THE NATIONAL REGISTER.

FRENCH REP ASSERTED THAT FRAGMENTS RECENTLY FALLING ON NEW ZEALAND COULD NOT BE LEGALLY IDENTIFIED BECAUSE OF LACK OF NATIONAL " IMMATRICULATION". NEED FOR BOTH NATIONAL AND UN REGISTRIES, HE ASSERTED, LIMITED OFFICIAL USE

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WAS " INSEPARABLE." ON MOON TREATY, HE SAID FRANCE PRESSED HOPE SAME ACCOMODATING ATTITUDE WOULD PREVIAL

REGARDING REGISTRATION.

3. SWEDEN, IN HELPFUL STATEMENT, DISTINGUISHED BETWEEN FIRST PROVISION OF FRENCH- CANADIAN DRAFT (ARTS 1-5) PROVIDING FOR A NATIONAL REGISTER AND THE SECOND PART PROVIDING FOR A CENTRAL REGISTER. WITH REFERENCE TO PURPOSE OF A NATIONAL REGISTER, SWEDEN QUESTIONED WHETHER USEFUL TO INCLUDE ALL SPACE OBJECTS, COMMENTING THAT LAUNCH VEHICLES AND STAGES NEED NOT BE INCLUDED, BUT E. G. , SPACE SHUTTLES AND MANNED ORBITING LABS SHOULD BE. IN THIS CONNECTION, SWEDISH DEL SUGGESTED THAT AN ENUMERATION OF TYPES OF SPACE OBJECTS SHOULD BE INCLUDED ON A NATIONAL REGISTER. WITH REGARD TO CENTRAL REGISTER, SWEDEN ADVOCATED COMPREHENSIVE AND MANDATORY REGISTRY AS INDISPENSABLE FOR ESTABLISHING LIABILITY AND OWNERSHIP. SWEDISH DEL CAUTIONED, HOWEVER, THAT INFORMATION AS SPECIFIED IN FRENCH- CANADIAN DRAFT WOULD GIVE LITTLE CLUE TO ACTUAL IDENTITY OF A SPACE OBJECT, AND THAT RELIANCE WOULD BE BETTER PLACED ON TRACKING, CHEMICAL AND METALLURGICAL ANALYSIS AND IN THIS REGARD ADVISED AGAINST PLACING TOO HEAVY A FINANCIAL BURDEN ON THE UN OR THE SPACE POWERS. WITH RESPECT TO TOM, SWEDEN FAVORED BOTH EXPANSION OF SCOPE TO OTHER CELESTIAL BODIES OF SOLAR SYSTEM, NOTING THAT THIS " ORIGINAL SWEDISH SUGGESTION" NOW SUPPORTED BY US, AND PROVISION ACKNOWLEDGING RESOURCES OF MOON AND OTHER CELESTIAL BODIES ARE THE COMMON HERITAGE OF MANKIND.

4. EGYPT ADVOCATED CONFINING TOM TO MOON, " PRIMARILY" BUT EXTENDING PROVISIONS TO OTHER CELESTIAL BODIES IN ABSENCE OF TREATIES COVERING THEM. EGYPTIAN REPRESENTATIVE FOCUSED ON IMPORTANCE ATTACHED TO " COMMON HERITAGE" PROVISION AS A RESPONSE TO THE INTERESTS AND CONCERNS OF THE LDC'S WHILE ACKNOWLEDGING THAT ALL STATES SHOULD SHARE BENEFITS OF RESOURCES EXPLOITATION ON AN " EQUITABLE " RATHER THAN AN " EQUAL " BASIS, (THIS REFLECTED EGYPTIAN REPRESENTATIVE'S PRIVATE COMMENT LAST FALL THAT LAUNCHING STATES MUST BE COMPENSATED FOR THEIR INVESTMENT IN SPACE EXPLORATION.) EGYPT ALSO ADVOCATED EXPANDING A TREATY BAN ON NUCLEAR WEAPONS TO INCLUDE ALL WEAPONS.

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5. DURING THIS SESSION'S GENERAL DEBATE FRANCE , BULGARIA AND EGYPT STRONGLY ENDORSED SOVIET INITIATIVE IN SUBMITTING THEIR DRAFT CONVENTION ON PRINCIPLES GOVERNING DIRECT BROADCAST SATELLITES (DBS) , WITH FRANCE RECOMMENDING THAT DBS BE TAKEN UP AS PRIORITY ITEM FOLLOWING LSC DISCUSSION OF TOM AND REGISTRATION. EGYPT ALSO STRESSED THAT DISCUSSION OF DEFINING OUTER SPACE SHOULD NOT BE SIDETRACKED.

6. SUBCOMMITTEE THEY REFORMED ITSELF INTO WORKING
GROUP AND TOOK UP MOON TREATY. BASIS OF DISCUSSION
WAS SOVIET- STIMULATED BULGARIAN REVISION OF TEXT RE-
PORTED OUT OF 1972 SUBCOMMITTEE SESSION (SEPTTEL).
SCHAUFLE

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